Atty. Dkt. No. 071949-5604



HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Buechler et al.

Title:

USE OF THROMBUS

PRECURSOR PROTEIN AND

MONOCYTE

CHEMOATTRACTANT

PROTEIN AS DIAGNOSTIC AND PROGNOSTIC INDICATORS IN

VASCULAR DISEASES

Appl. No.:

10/728,067

Filing Date: December 3, 2003

Examiner:

Unassigned

Art Unit:

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below. (Date of Deposit)

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO-1449 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 10/330,696, filed 12/23/2002. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

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Barry S. Wilson

Attorney for Applicant Registration No. 39,431

PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE re required to respond to a collection of information unless it contains a valid OMB control

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Substitute for form 14308/PRACE INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: April 14, 2003 (use as many sheets as necessary)

27

	Complete if Known	
Application Number	10/330,696	
Filing Date	12/23/2002	
First Named Inventor	Kenneth F. Buechler	
Group Art Unit	Unassigned	
Examiner Name	Unassigned	
Attorney Docket Number	071949-5602	

			ι	J.S. PATENT DOCUMENTS		
Examiner Initials*	Cite No. ¹	U.S. Patent Do	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	6,156,521		Buechler et al.	12/05/00	
	A2	6,147,688		Clair	11/14/00	
,	A3	6,143,576		Buechler	11/07/00	
	A4	6,113,855		Buechler	09/05/00	
•	A5	6,019,944		Buechler	02/01/00	
	A6	5,985,579		Buechler et al.	11/16/99	
	A7	5,955,377		Maul et al.	09/21/99	
	A8	5,947,124		Buechler et al.	09/07/99	
	A9	5,939,272		Buechler et al.	08/17/99	
	A10	5,922,615		Nowakowski et al.	07/13/99	
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	A13	5,843,690		Gargan	12/01/98	
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	A17	5,631,171		Sandstrom et al.	05/20/97	
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-	A19	5,480,792		Buechler et al.	01/02/96	
	A20	5,453,359		Gargan	09/26/95	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2See attached Kinds of U.S. Patent Documents. 3Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08 (08-00)

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	INFORMATION DE	SCLO	SURE	Application Number	10/330,696		
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	C1	Aggarwal et al., "Evaluation of serum lipid profile and cardiac enzyme changes in cerebrovascular accidents," <i>JIMA</i> , 93:331-332 (1995).	
	C2	Akiyama et al., "Changes in serum concentrations of matrix metalloproteins, tissue inhibitors of metallo proteinases and Type IV collagen in patients with various types of glomerulonephritis," Res. Commun. In Mol. Path. and Pharm., 95(2): 115-128 (1997).	
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	C9	Baker, T. et al., "Serum metalloproteinases and their inhibitors: markers for malignant potential," Br. J. Cancer 70:506-512 (1994).	

Examiner Signature		Date Considered	

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Sheet 3	of	27	A TO	Attorney Docket Number	071949-5602	

		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examin er Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C10	Balagopalakrishna, C. et al., "Modification of low density lipoproteins by erythrocytes and hemoglobin under hypoxic conditions, Adv. Exp. Med. Biol. 411:337-345 (1997).	
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Signature	Cor	nsidered	

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	Substitute fo	or form 1449B/	PTO P E		Complete if Known
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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
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	C23	Bitsch et al., "A longitudinal prospective study of soluble adhesion molecules in acute stroke," <i>Stroke</i> , 29:2129-2135 (1998).	
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Examiner	Date
Signature	Considered

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Application Number	10/330,696				
Filing Date	12/23/2002				
First Named Inventor	Kenneth F. Buechler				
Group Art Unit	Unassigned				
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	C37	Caligiuri et al., "Immune system activation follows inflammation in unstable angina: pathogenetic implications," <i>J.Am. Coll. Cardiol.</i> 32:1295-1304 (1998).	
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•	0.45	Colucciello, S.A., EMR Textbook, pp. 1-23	
	C45	http://www.thrombosis-consult.com/articles/Texbook/54_pulmonary, printed 11/04/2002	
v	C46	Cohen, A.M. et al., "Plasma clearance and tissue distribution of recombinant human platelet-derived growth factor (B-chain homodimer) in rats," J. Surg. Res. 49:447-452 (1990).	
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STAT	EMENT BY APPI	LICANT 1 2004	Filing Date	12/23/2002	
Date Submitted:	April 14, 200	1 1	First Named Inventor	Kenneth F. Buechler	
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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examin er Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т ⁶
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-	C61	Dunlop, L.C. et al., "Characterization of GMP-140 (P-selectin) as a circulating plasma protein," J. Exp. Med. 175:1147-1150 (1992).	
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	C63	Egermayer et al., "Usefulness of D-dimer, blood gas, and respiratory rate measurements for excluding pulmonary embolism," <i>Thorax</i> 53:830-34 (1998).	
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	C77	Forssmann et al., "The endocrine heart and natriuretic peptides: histochemistry, cell biology, and functional aspects of the renal urodilatin system," <i>Histochem Cell Biol</i> 110: 335-357 (1998).	
	C78	Fox, J.E., "Shedding of adhesion receptors from the surface of activated platelets," <i>Blood Coagul. Fibrinolysis</i> 5:291-304 (1994).	
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¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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5	STATEMENT BY	APPLIC	ANT 1004	Hiling Date	12/23/2002
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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examin er Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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	C221	Nishiyama et al., "Simultaneous elevation of the levels of circulating monocyte chemoattractant protein-1 and tissue factor in acute coronary syndromes," <i>Jpn. Circ. J.</i> 62:710-712 (1998).	
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INFO	RMATION DISCL	OSMRE	Application Number	10/330,696
STAT	EMENT BY APPL	IDANT AND	iling Date	12/23/2002
Date Submitted:	April 14, 200	3 (18)	First Named Inventor	Kenneth F. Buechler
Date Submitted.	April 14, 200	2 / 40	Group Art Unit	Unassigned
(use as	many sheets as n	ecessary)	Examiner Name	Unassigned
Sheet 27	of	27 ENT & THINK	Attorney Docket Number	071949-5602

		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examin er Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т ⁶
_	C326	Yamazaki et al., "Alterations of haemostatic markers in various subtypes and phases of stroke," <i>Blood Coagul. Fibrinolysis</i> 4:707-712 (1993).	
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	C331	Yoshimoto, K. et al., "Human heart-type cytoplasmic fatty acid-binding protein as an indicator of acute myocardial infarction," <i>Heart Vessels</i> 10:304-309 (1995).	
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